



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

Northwest Regional Office • 3190 160th Avenue SE • Bellevue, Washington 98008-5452 • (425) 649-7000

**PUBLIC NOTICE OF APPLICATION for**  
**STATE OF WASHINGTON WATER QUALITY CERTIFICATION**  
**and COASTAL ZONE MANAGEMENT ACT CONSISTENCY**

February 10, 2005

Interested parties are hereby notified that the following applications have been received for a water quality certification in accordance with Section 401 of the Federal Clean Water Act, pursuant to the requirements of WAC 173-225. For projects in the 15 coastal counties, these applications will also be reviewed for coastal zone consistency in accordance with Section 306 of the Coastal Zone Management Act.

This public notice does not indicate that Ecology or other State agencies have agreed with the proposed projects. This notice is only intended to inform the public of proposed projects, and ask for comments by local, state and federal agencies and the public.

**EVALUATION:** The decision to issue, deny or condition the water quality certification (WQC) or concur with the applicant's Coastal Zone Management Act (CZMA) consistency statement, will be based on the following: for WQC, it is necessary for the proposed project to comply with the applicable provisions of the federal Clean Water Act and appropriate State aquatic protection requirements. For a project to be declared consistent under the CZMA program, it must be in compliance with State and Federal Clean Water and Air Acts, the Shoreline Management Act, the State Environmental Policy Act, and other applicable federal and state regulations.

**COMMENT AND REVIEW PERIOD:** Ecology is soliciting comments from the public, State, and local agencies and officials, and other interested parties in order to evaluate the impacts of the activity. Any comments received will be considered to determine whether to approve, condition, or deny a certification for the proposed work, and concur or object to the project's statement of consistency with the CZMA. **Comments should be sent to:**

**Rebekah Padgett**  
**Department of Ecology**  
**3190 160th Avenue SE**  
**Bellevue, WA 98008-5452**  
**e-mail [rpada461@ecy.wa.gov](mailto:rpada461@ecy.wa.gov)**

**The comment period will last 21 days, from February 10 to March 3, 2005.**

If you have special accommodation needs or require this document in an alternative format, please call (425) 649-7000, 711 or 1-800-833-6388 (TTY).



February 10, 2005

**The following application has been received for 401 certification and CZMA consistency determination:**

PROJECT NUMBER: 200401038

APPLICANT: Puget Sound Energy  
PO Box 90868 XRD-01W  
Bellevue, WA 98009

CONTACT: Roque Bamba, Puget Sound Energy (425) 462-3774

ECOLOGY PROJECT REVIEWER: Rebekah Padgett (425) 649-7129

TYPE OF NATIONWIDE PERMIT: Nationwide Permit (NWP) #33, Temporary Construction, Access, and Dewatering, to be issued by the U.S. Army Corps of Engineers.

LOCATION: On the west shore of Baker Lake approximately 7 miles north of Concrete, Whatcom County, Washington; located in the E ½ of Section 30, Township 37 N., Range 9 E.

WORK: Application has been made for water quality certification to authorize construction of a temporary fish passage structure launch site. The launch site will provide a location for fabrication and deployment of a floating fish passage structure, a floating surface collector (FSC), to be used to enhance passage for fish migrating downstream past Upper Baker Dam. The launch site will consist of a working platform for fabrication of the fish passage structure fabrication, surrounded by excavated slopes inland and an embankment on the sides toward the lake. Sheet piling and an impermeable membrane will be placed along most of the east side of the site to facilitate launching of the FSC. Once the FSC is built, the site will be flooded to the level of the lake, the sheet piling removed by a barge-mounted crane, and the floating structure moved out through the opening in the sheet piling and moved to the forebay of Upper Baker Dam. The site will then be restored to its original condition and upland areas will be revegetated.

The proposed project is described in more detail in the Joint Aquatic Resources Permit Application, Biological Assessment for the Floating Surface Collector Construction and Launch Site Facility prepared by Louis Berger Group, Inc. (January 2005), and the Temporary Fish Passage Launch Site Construction and Operation Description (January 5, 2005).

PURPOSE: Improvement of fish passage facilities at the Upper Baker Dam, with an emphasis on safe passage of downstream-migrating juvenile salmon past the dam.

APPEALS: If the water quality certification is issued, any person aggrieved may obtain review thereof by appeal. The applicant can appeal up to 30 days after receipt of the permit, and all others can appeal up to 30 days from the postmarked date of the permit. The appeal must be sent to the Washington Pollution Control Hearings Board, PO Box 40903, Olympia WA 98504-0903. Concurrently, a copy of the appeal must be sent to the Department of Ecology, Enforcement Section, PO Box 47600, Olympia WA 98504-7600. These procedures are consistent with the provisions of Chapter 43.21B RCW and the rules and regulations adopted thereunder.

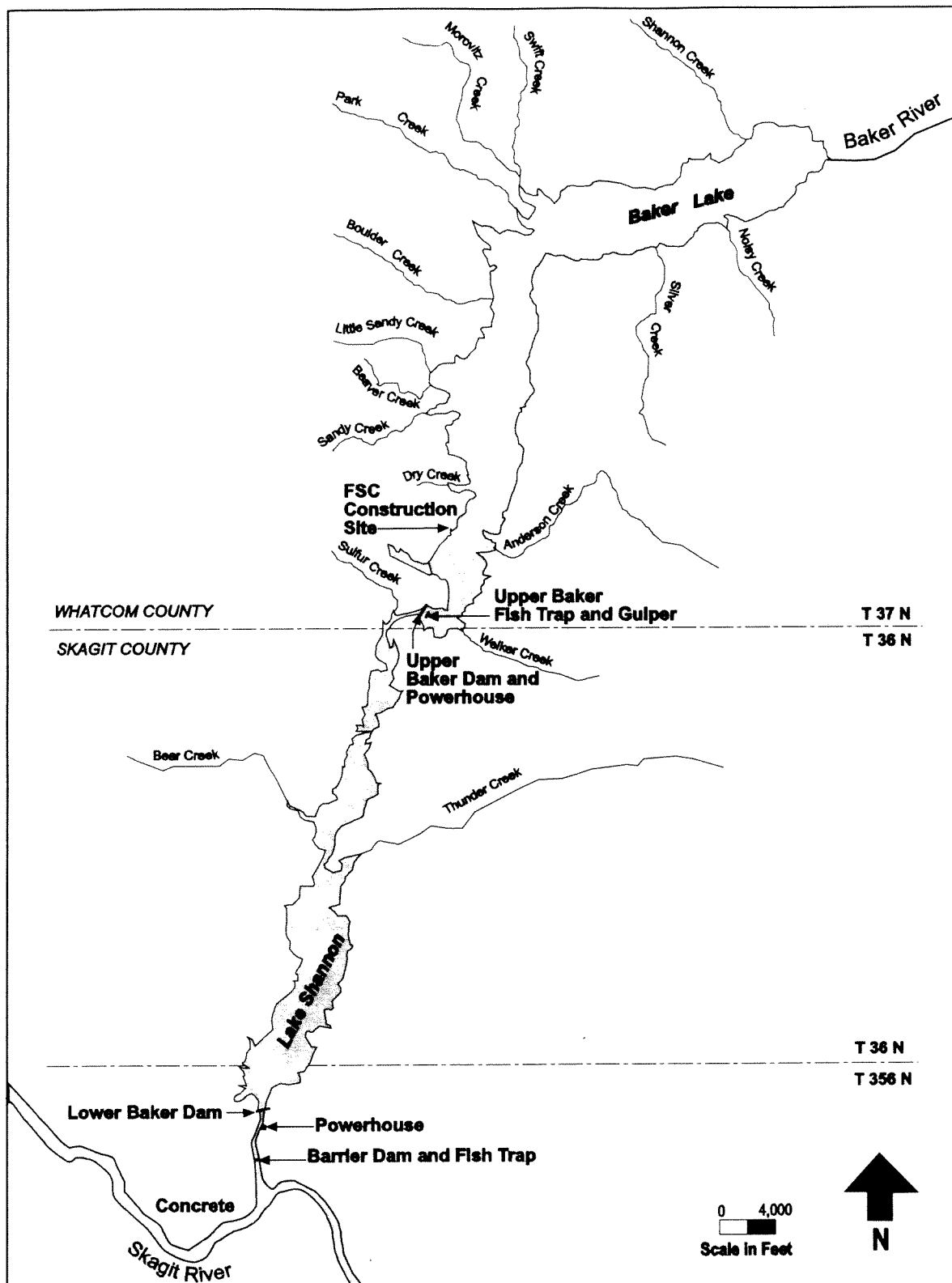
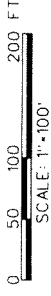
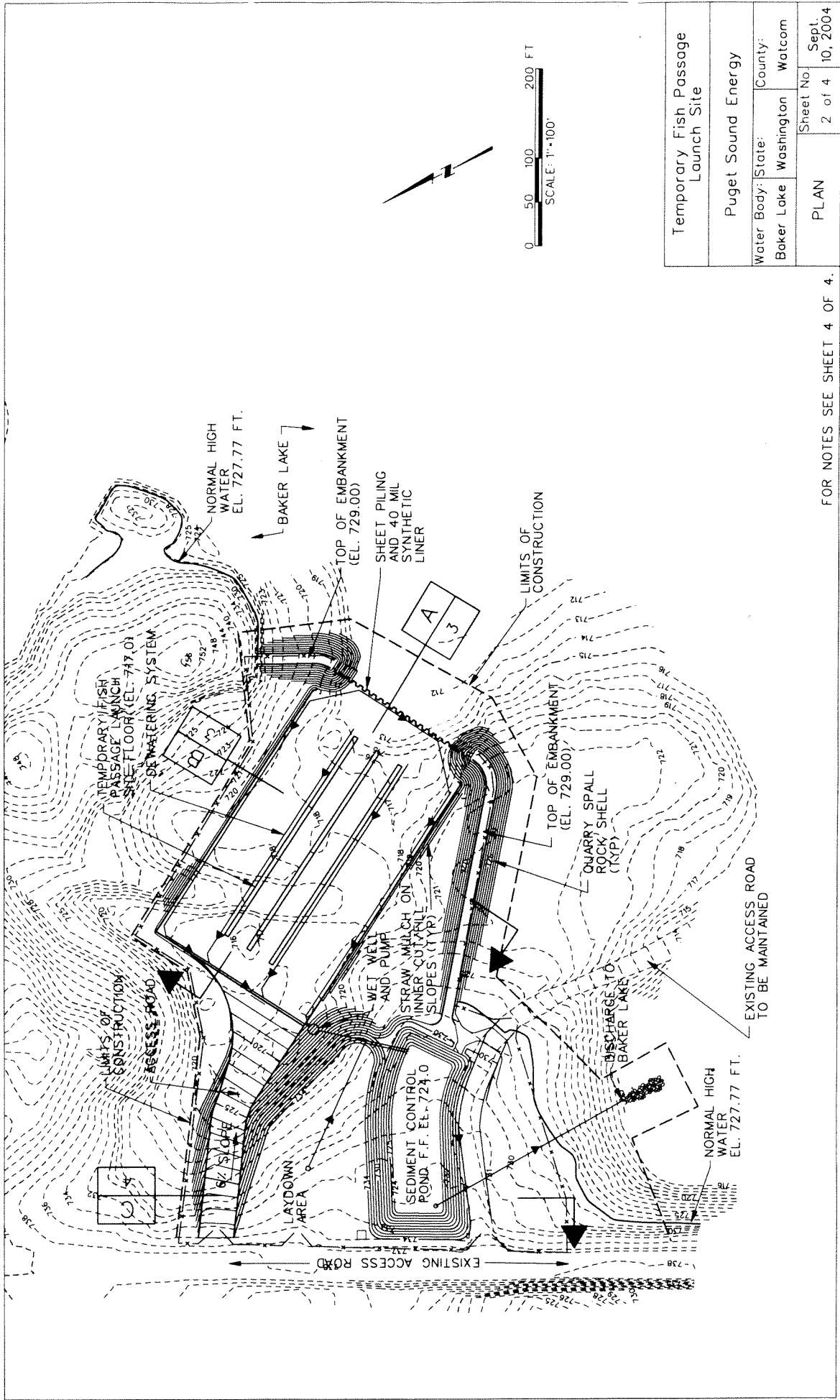


Figure 1. Vicinity map of the Baker River Project. (Source: Adapted from R2 Associates, 2003).



Temporary Fish Passage Launch Site			
Puget Sound Energy			
Water Body:	State:	County:	
Baker Lake	Washington	Watcom	
PLAN		Sheet No.	2 of 4
		Sept. 10, 2004	

FOR NOTES SEE SHEET 4 OF 4.